

Appln. No. 09/557,980  
Amendment dated August 11, 2004  
Reply to Office Action of June 17, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The June 17, 2004 Final Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled and amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 are respectfully requested.

REJECTIONS UNDER 35 USC 112, SECOND PARAGRAPH

In the Office Action, claims 16 and 17 are rejected under the second paragraph of 35 USC 112 as being incomplete for omitting essential structural cooperative relationships of elements. In response, claim 16 is amended to indicate the source of the database. In view of the amendment of claim 16, reconsideration and withdrawal of the rejection of claims 16 and 17 are respectfully requested.

Appln. No. 09/557,980  
Amendment dated August 11, 2004  
Reply to Office Action of June 17, 2004

Claims 20 and 21 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, claims 20 and 21 are cancelled, thereby rendering the rejection of claims 20 and 21 moot.

PRIOR ART REJECTIONS

In the Office Action claim 19 is rejected under 35 USC 102(e) as being anticipated by USP 6,044,349 (Tolopka et al.). In addition, claims 20 and 21 are rejected under 35 USC 102(b) as being anticipated by USP 5,040,084 (Liu).

In response, claims 19, 20 and 21 are cancelled, thereby rendering the rejection of these claims under 35 USC 102 moot.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 16 and 17 would be allowable if rewritten or amended to overcome the rejection under the second paragraph of 35 USC 112, and that claims 18, 22 and 23 are allowed over the prior art of record is acknowledged and appreciated.

Appln. No. 09/557,980  
Amendment dated August 11, 2004  
Reply to Office Action of June 17, 2004

Claim 16 has been amended to overcome the indefiniteness rejection. Therefore, claims 16-18, 22 and 23 are in form for immediate allowance, which action is earnestly solicited.


\* \* \* \* \*

Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

  
Robert P. Michal  
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.  
767 Third Avenue - 25th Floor  
New York, New York 10017-2032  
Tel. (212) 319-4900  
Fax (212) 319-5101  
RPM/ms